



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

**In replying refer to:**

Public Notice Number: NAN-2007-184-WCA

Issue Date: **November 13, 2007**

Expiration Date: **December 12, 2007**

**To Whom It May Concern:**

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

**APPLICANT:** Passaic Valley Sewerage Commissioners  
600 Wilson Avenue  
Newark, New Jersey 07105

**ACTIVITY:** Discharge fill material into waters of the United States and perform new dredging activities with upland disposal to facilitate the construction and installation of a Trash Skimmer Boat Facility.

**WATERWAY:** Passaic River

**LOCATION:** Borough of North Arlington, Bergen County, New Jersey

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

**CENAN-OP-RW**  
**PUBLIC NOTICE NO. NAN-2007-184-WCA**

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Information regarding the proposed work that would be undertaken is given in the attached Description of Proposed Work. Based on a preliminary review of the proposal and the "Guide to Essential Fish Habitat Designations in the Northeastern United States", issued by the National Oceanic and Atmospheric Administration/National Marine Fisheries Service, the EFH for several aquatic species and their life stages in the proposed project area could potentially be impacted by the proposed work. Further consultation with the National Marine Fisheries Service regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to a final decision on the application.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.


Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New Jersey the applicant's certification and accompanying information is available from the New Jersey Department of Environmental Protection, Bureau of Coastal Regulation, CN 401, 501 East State Street, Second Floor, Trenton, New Jersey 08625-0401, Telephone Number (609) 633-2289. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed. In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration: New Jersey Department of Environmental Protection Waterfront Development Permit.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8412 and ask for James Cannon.

**CENAN-OP-RW**  
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For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

*For*   
Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

**WORK DESCRIPTION**

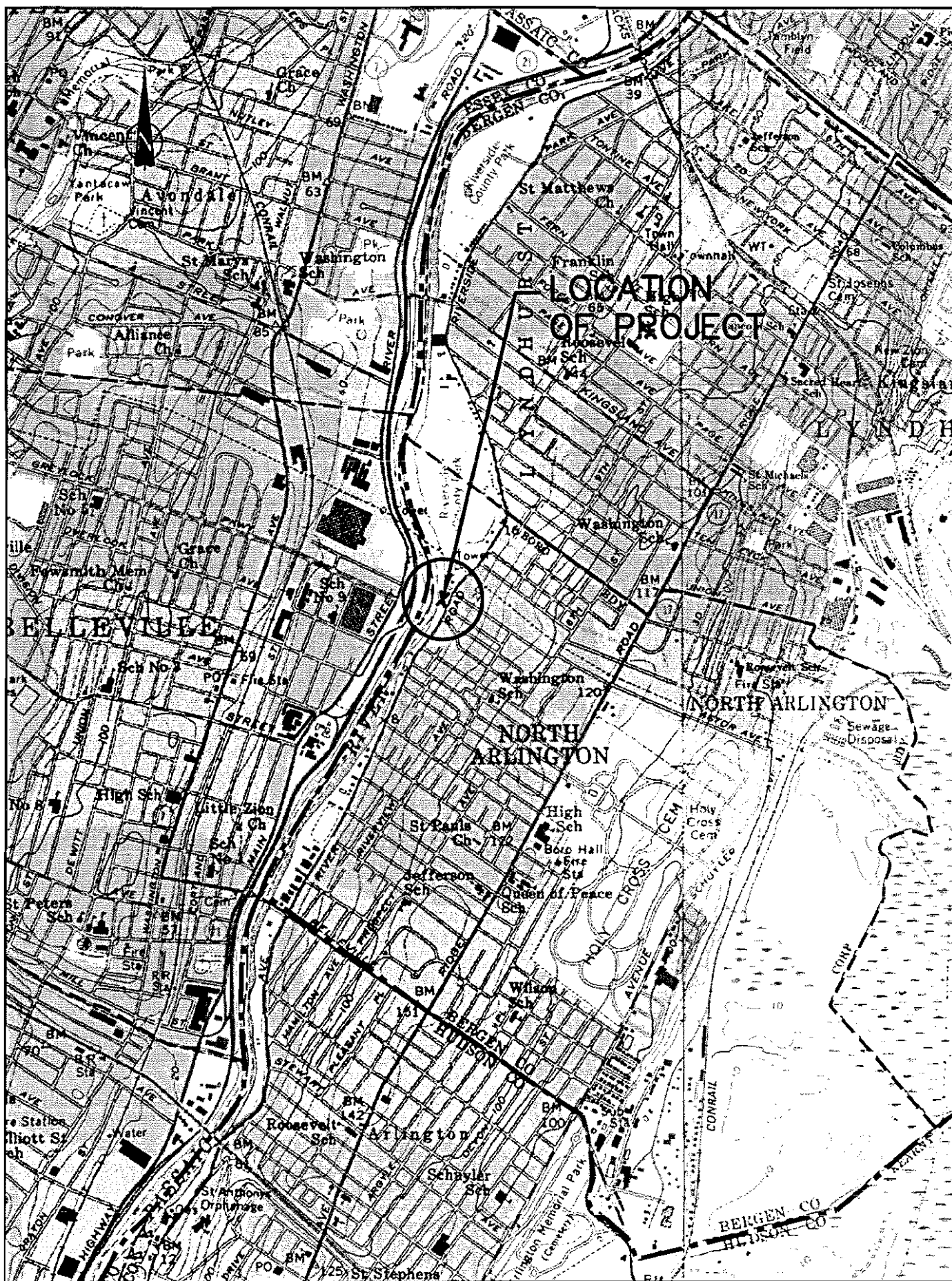
The applicant, the Passaic Valley Sewer Commissioners (PVSC), has requested Department of the Army authorization to discharge fill material into waters of the United States to facilitate the construction and installation of a Trash Skimmer Boat facility along the Passaic River. The project site would be situated on a 0.75 acre former boat repair yard that currently consists of an existing dry dock, two deteriorated but currently serviceable timber piers, and associated timber bulkheading and upland buildings. The site is located on the Passaic River, in the Borough of North Arlington, Bergen County, New Jersey.

The proposed activities would include the construction and installation of a new 52 foot long by 20 foot wide concrete dry dock; the installation of a new 40 foot long by 8 foot wide floating pier with an associated 25 foot long by 4 foot wide accessway; the replacement of 120 feet of existing deteriorated but currently serviceable rock and concrete block bulkheading, with steel sheeting. The steel sheet bulkheading would be placed landward of the Spring High Water elevation (4.13 feet, National Geodetic Vertical Datum NGVD) of the Passaic River. Additional activities would include the installation of 45 linear feet of steel sheet bulkheading, the expansion of the existing 32 foot long by 40 foot wide northern pier to 50 feet wide by 40 feet long to accommodate a proposed trash conveyor system and dumpsters, and the complete removal of the existing 40 foot wide by 35 foot long southern pier. As a result of these proposed activities approximately 218 cubic yard of fill material would be discharged into approximately 0.037 acres (1627.7 square feet) of waters of the United States.

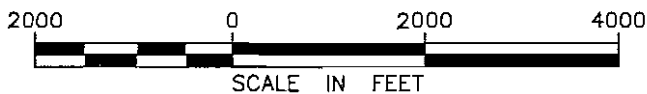
In addition, and to provide boat access to the site, the applicant proposes to dredge approximately 1,089 cubic yards of sediment from an approximately 10,000 square foot (0.23 acres) portion of the Passaic River located adjacent to the site to a maximum depth of 4 feet below the plane of Mean Low Water (MLW) to elevation -5.8 feet. A crane excavator situated on land would dredge the river sediments and place of the material in a contained upland area on site with no return flow entering the waterway. Upon completion of the dredging activities, the dredged sediments would be utilized as upland fill on the site.

The removal of the existing deteriorated southern pier structure and the reconstruction of the placement of the new steel sheet bulkhead within the southern portion of the site (landward of the existing spring high tide elevation) would result in the establishment of approximately 0.036 acres (1,603 square feet) of waters of the United States.

The applicant's stated purpose and need for this project is to eliminate floatable navigation hazards from both the upper and lower portions of the Passaic River and adjacent harbor areas and improve and encourage safe navigation within the Passaic River and adjacent waterways. The Trash Skimmer Boat Facility would also serve to remove floating debris from the waterways and shoreline communities in Paterson, Passaic, Garfield, Newark and Kearny, New Jersey.



SOURCE : USGS ORANGE AND WEEHAWKEN QUADRANGLES NEW JERSEY 7.5 MINUTE SERIES



**Hatch Mott  
MacDonald**

Certificate No. 24GA28075000

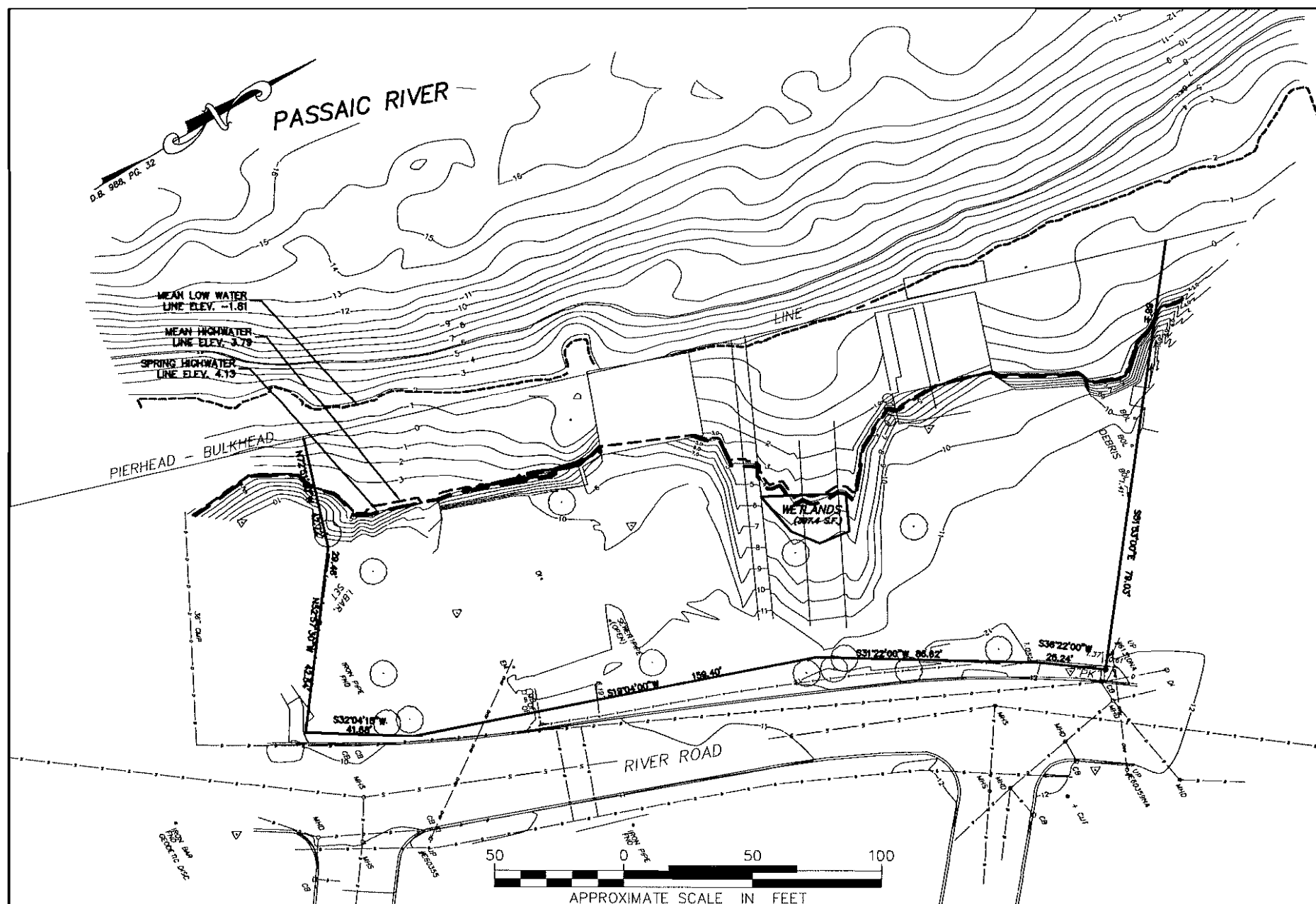
27 Bleeker Street  
Willbun, New Jersey 07041


PASSAIC VALLEY SEWERAGE COMMISSIONERS  
ESSEX COUNTY, NEW JERSEY

BLOCK 70, LOT 2 - 403 RIVER ROAD  
LAT: 40-47-55 LONG: 74-08-15  
NORTH ARLINGTON, BERGEN COUNTY  
SITE LOCATION MAP

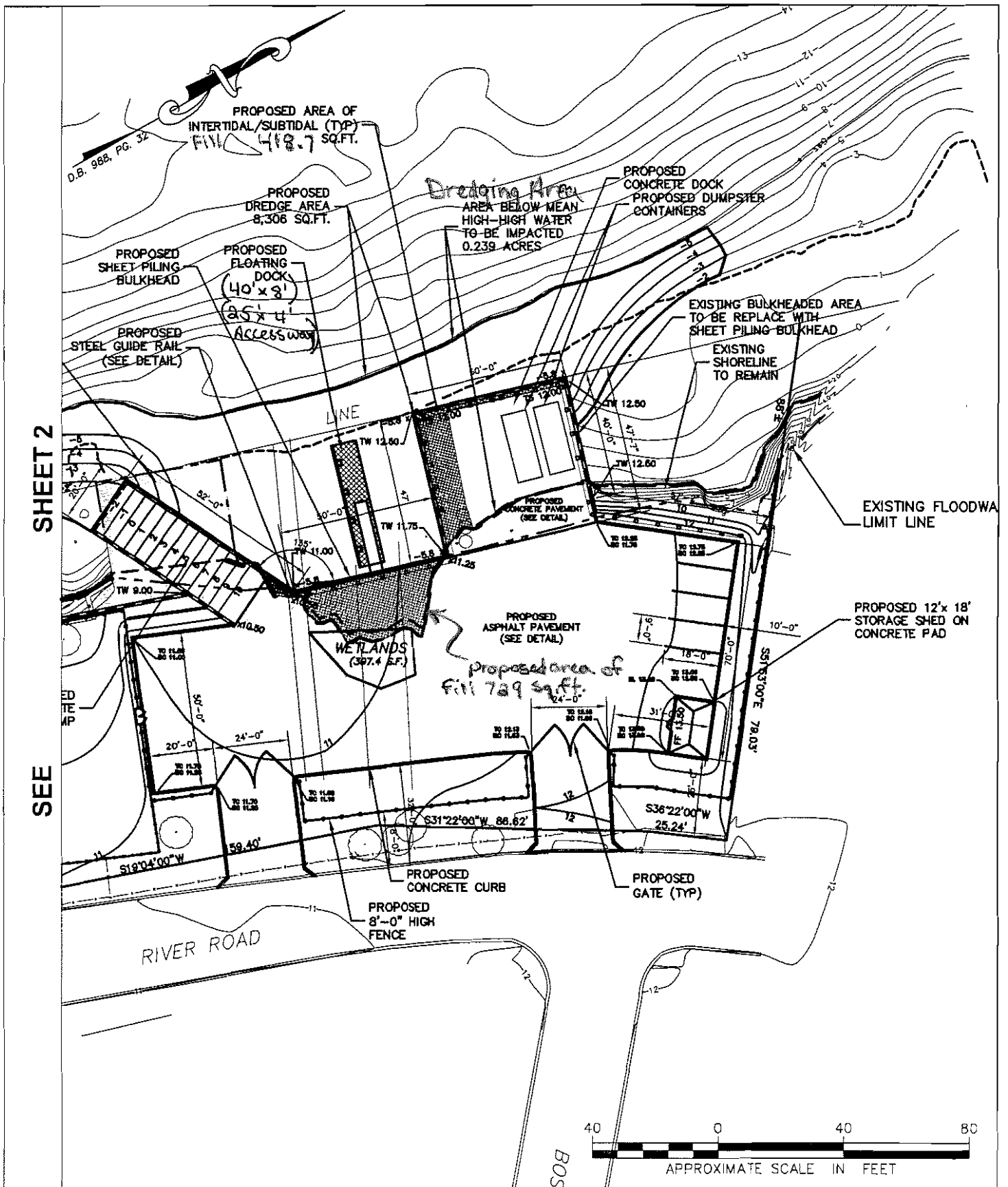
Designed	Drawn	Checked	Approved	Date
	SMF	JSR		


Fig. 2 of 8



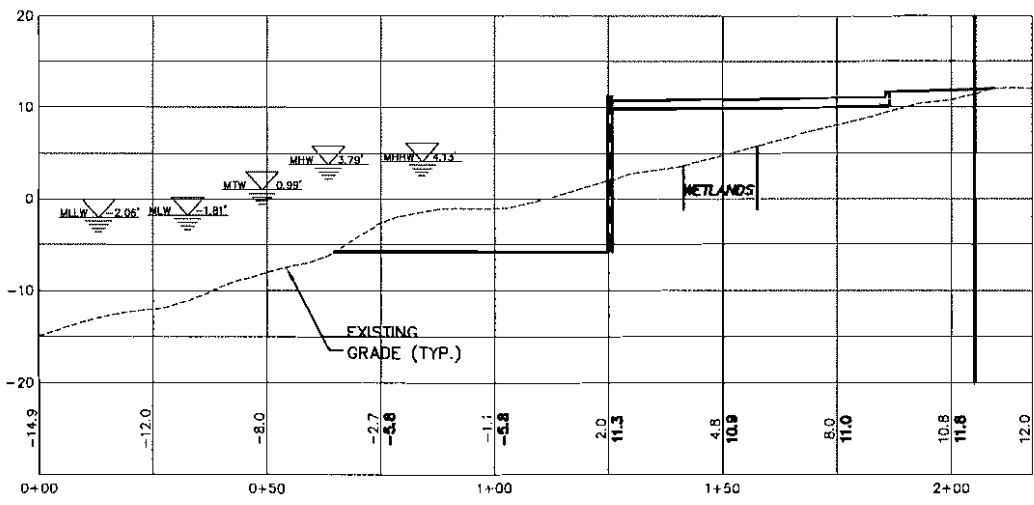
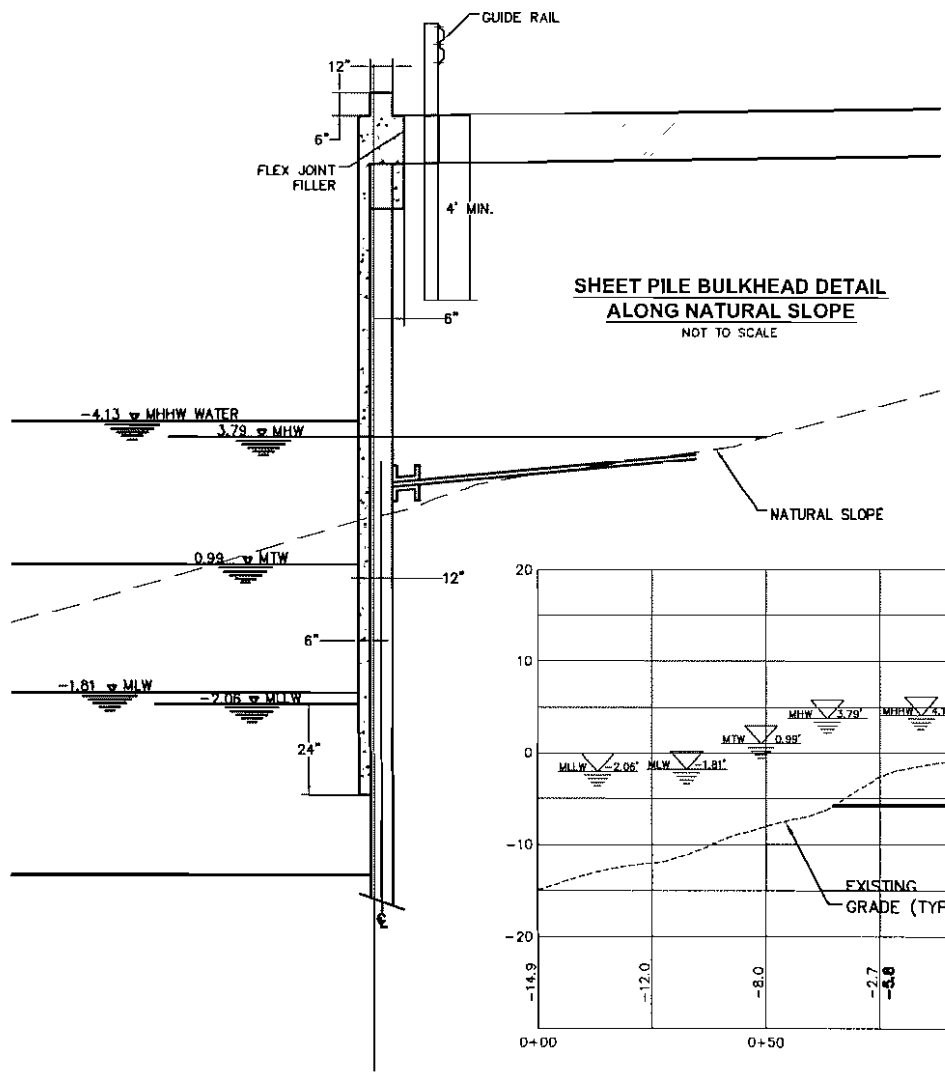
Job No.: <b>C61612AA01</b>	No. <b>1A</b>		<b>PASSAIC VALLEY SEWERAGE COMMISSIONERS</b> NEWARK, NEW JERSEY <b>PROPOSED TRASH SKIMMER FACILITY</b> BLOCK 70, LOT 2 - 403 RIVER ROAD, NORTH ARLINGTON, NEW JERSEY EXISTING CONDITIONS - SITE PLAN	Designed JCF	Drawn SMF	Date 11-6-07	 <b>Hatch Mott MacDonald</b> Certificate No. 24GA28075000 27 Bleeker Street Millburn, N. J. 07041
	B/O 1	Total 7		Checked JCF	Approved JSR		





Job No.: C61612AA01	No. 3		PASSAIC VALLEY SEWERAGE COMMISSIONERS NEWARK, NEW JERSEY PROPOSED TRASH SKIMMER FACILITY BLOCK 70, LOT 2 - 403 RIVER ROAD, NORTH ARLINGTON, NEW JERSEY PROPOSED CONDITIONS - SITE PLAN					 Hatch Mott MacDonald  Certificate No. 24GA28075000
	B/O 3	Total 7	Designed JCF	Drawn SMF	Checked JCF	Approved JSR	Date 11-6-07	
								27 Bleeker Street Millburn, N. J. 07041





CROSS-SECTIONAL  
PROFILE




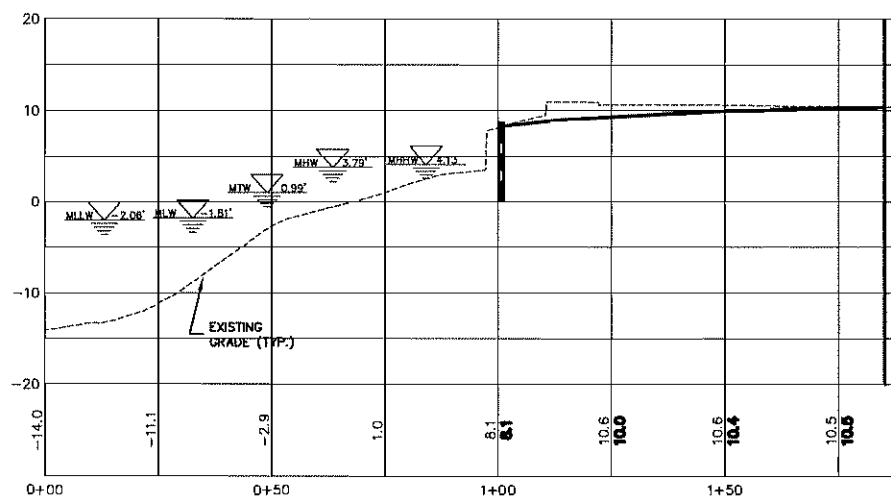
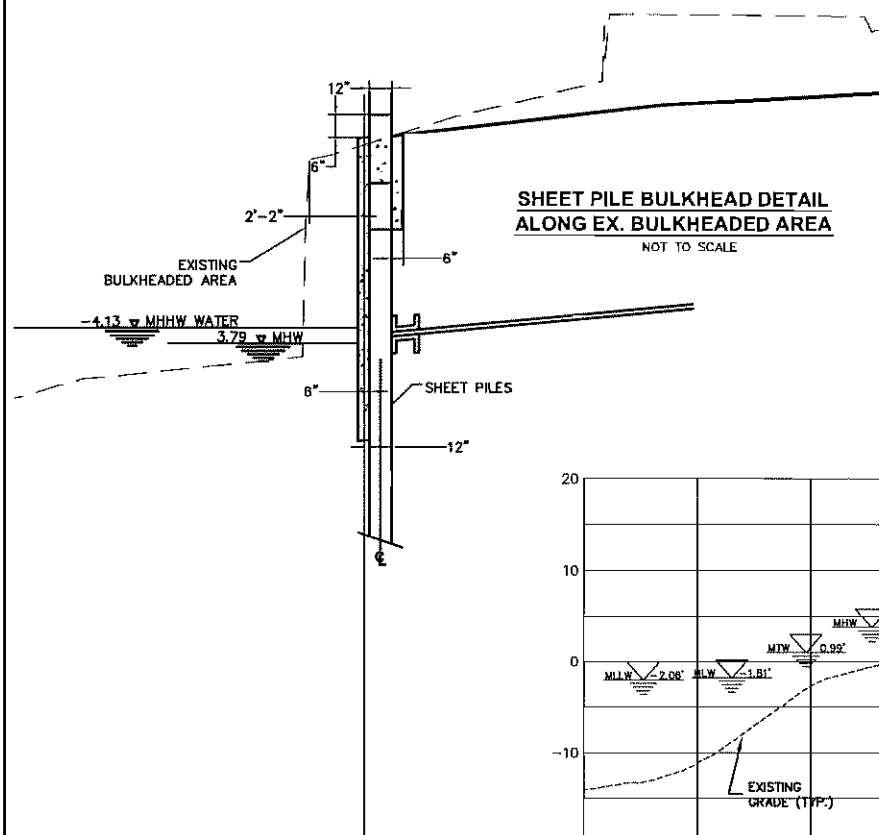

Job No.: <b>C61612AA01</b>	No. <b>4</b>		<b>PASSAIC VALLEY SEWERAGE COMMISSIONERS</b> <b>NEWARK, NEW JERSEY</b> <b>PROPOSED TRASH SKIMMER FACILITY</b> <b>BLOCK 70, LOT 2 - 403 RIVER ROAD, NORTH ARLINGTON, NEW JERSEY</b> <b>CROSS-SECTIONS</b>	Designed JCF	Drawn SMF	Date 11-6-07	 <b>Hatch Mott MacDonald</b> <small>Certificate No. 24GA28075000</small> 27 Bleeker Street Millburn, N. J. 07041
	B/O <b>4</b>	Total <b>7</b>		Checked JCF	Approved JSR		

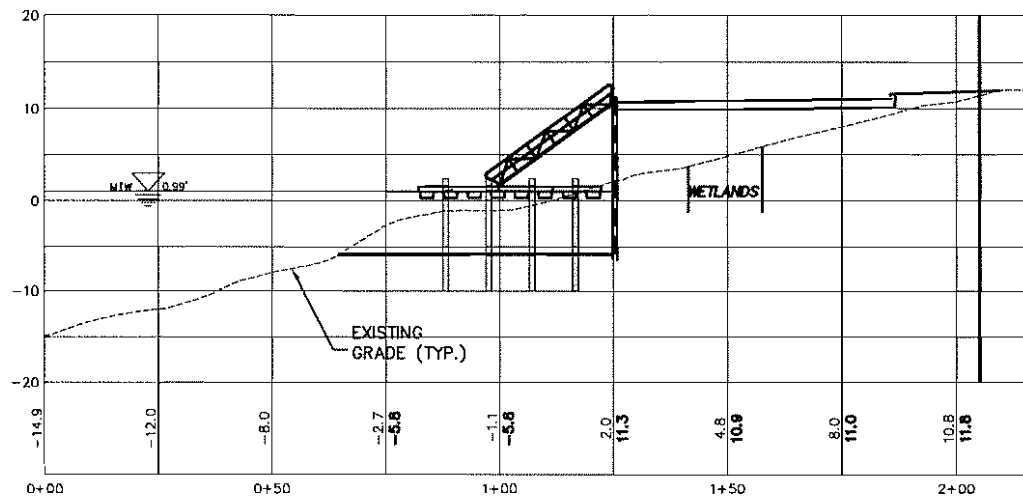
Fig. 6 of 8



CROSS-SECTIONAL  
PROFILE



Job No.: <b>C61612AA01</b>	No. <b>5</b>		<b>PASSAIC VALLEY SEWERAGE COMMISSIONERS</b> <b>NEWARK, NEW JERSEY</b> <b>PROPOSED TRASH SKIMMER FACILITY</b> <b>BLOCK 70, LOT 2 - 403 RIVER ROAD, NORTH ARLINGTON, NEW JERSEY</b> <b>CROSS-SECTIONS</b>	Designed JCF	Drawn SMF	Date 11-6-07	 <b>Hatch Mott MacDonald</b> <small>Certificate No. 24GA28075000</small> 27 Bleeker Street Millburn, N. J. 07041
	B/O 5	Total 7		Checked JCF	Approved JSR		



CROSS-SECTIONAL  
PROFILE



## CROSS-SECTION OF FLOATING PIER

Job No.:  
**C61612AA01**

No.  
**6**

B/O  
**6**

Total  
**7**

PASSAIC VALLEY SEWERAGE COMMISSIONERS  
NEWARK, NEW JERSEY  
**PROPOSED TRASH SKIMMER FACILITY**  
BLOCK 70, LOT 2 - 403 RIVER ROAD, NORTH ARLINGTON, NEW JERSEY  
CROSS-SECTIONS

Designed  
JCF

Checked  
JCF

Drawn  
SMF

Approved  
JSR

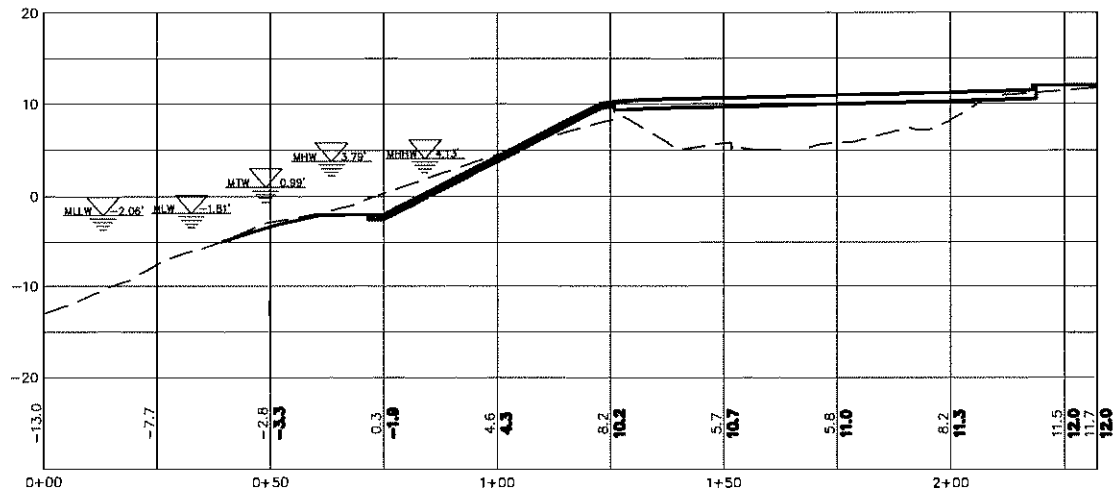
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11-6-07

 **Hatch Mott  
MacDonald**

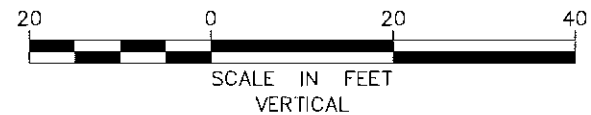
Certificate No. 24GA28075000

27 Bleeker Street  
Millburn, N. J. 07041

Fig. 7 of 8



CROSS-SECTIONAL  
PROFILE



## CROSS-SECTION OF DRY DOCK RAMP

Job No.:  
C61612AA01

No.  
7

B/O  
7

Total  
7

PASSAIC VALLEY SEWERAGE COMMISSIONERS  
NEWARK, NEW JERSEY  
**PROPOSED TRASH SKIMMER FACILITY**  
BLOCK 70, LOT 2 - 403 RIVER ROAD, NORTH ARLINGTON, NEW JERSEY  
CROSS-SECTIONS

Designed  
JCF

Checked  
JCF

Drawn  
SMF

Approved  
JSR

Date  
11--6--07

 **Hatch Mott  
MacDonald**

Certificate No. 24GA28075000

27 Bleeker Street  
Millburn, N. J. 07041

Fig. 8 of 8